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U.S. Patent Application Serial No. 10/557,889  
Reply to OA dated December 3, 2008

**AMENDMENTS TO THE CLAIMS:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

Claim 1 (Currently Amended): A commodity containing apparatus comprising:

a charging member attached to a base portion for charging a plurality of sheets of containing bags, said base portion arranged to be fixed to a counter or the like; and

a pivoting base portion pivotably supported by the base portion in a vertical face and formed with an opening for throwing in a commodity at a center portion thereof,

wherein an end plate of the pivoting base portion opposed to the charging member presses to hold the plurality of sheets of containing bags.

Claim 2 (Currently Amended): The commodity containing apparatus according to Claim 1, wherein the pivoting base portion is provided with a lever pivotably supported in a vertical face and an expanding arm inserted into an opening of a frontmost one of the containing bag bags charged to the charging member for expanding the containing bag when the pivoted lever recovers to an original position by a self weight thereof [[is]] supported by the lever.

Claim 3 (Currently Amended): A commodity containing apparatus fixed to a fixing member of a counter or the like of a store for expanding a containing bag and throwing a commodity thereinto

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to contain, wherein the commodity containing apparatus includes a fixed member fixed to the fixing member, a base portion engaged attachably and detachably to and from the fixing member, a charging member attached to the base portion for charging a plurality of sheets of the ~~contacting~~ containing bags, a pivoting base portion pivotably supported by the base portion in a vertical shape, formed with an opening for throwing in the commodity at a center portion thereof, an end plate thereof opposed to the charging member pressing to hold the plurality of sheets of containing bags, and a lever pivotably supported by the pivoting base portion in a vertical face and arranged with an expanding arm inserted into an opening of a frontmost one of the containing bag charged to the charging member for expanding the containing bag when the expanding arm is pivoted and thereafter returns to an original position by a self weight thereof.

Claim 4 (Currently Amended): The commodity containing apparatus according to Claim 3, wherein the fixed member is formed with a hook portion, a lock shaft extended in a longitudinal direction engaged with the hook portion of the fixed member is movably arranged at the base portion, and the lock shaft is arranged with a spring for providing an elasticity in a direction of the hook portion of the ~~fixing~~ fixed member.

Claim 5 (Previously Presented): The commodity containing apparatus Claim 1, wherein at least two sheets of end plates surrounding the opening for throwing in the commodity are inclined downward toward a center side.

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Claim 6 (Previously Presented): The commodity containing apparatus according to Claim 1, further including a holding frame fixed to the base portion and formed with a fold-to-bend portion hung downward in a vertical direction of the base portion and folded to bend in a horizontal direction such that a lowermost portion thereof is disposed downward from the plurality of sheets of containing bags, and a receiving bowl arranged at the fold-to-bend portion of the holding frame.

Claim 7 (Previously Presented): The commodity containing apparatus Claim 2, wherein at least two sheets of end plates surrounding the opening for throwing in the commodity are inclined downward toward a center side.

Claim 8 (Previously Presented): The commodity containing apparatus Claim 3, wherein at least two sheets of end plates surrounding the opening for throwing in the commodity are inclined downward toward a center side.

Claim 9 (Previously Presented): The commodity containing apparatus Claim 4, wherein at least two sheets of end plates surrounding the opening for throwing in the commodity are inclined downward toward a center side.

Claim 10 (Previously Presented): The commodity containing apparatus according to Claim 2, further including a holding frame fixed to the base portion and formed with a fold-to-bend portion

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hung downward in a vertical direction of the base portion and folded to bend in a horizontal direction such that a lowermost portion thereof is disposed downward from the plurality of sheets of containing bags, and a receiving bowl arranged at the fold-to-bend portion of the holding frame.

Claim 11 (Previously Presented): The commodity containing apparatus according to Claim 3, further including a holding frame fixed to the base portion and formed with a fold-to-bend portion hung downward in a vertical direction of the base portion and folded to bend in a horizontal direction such that a lowermost portion thereof is disposed downward from the plurality of sheets of containing bags, and a receiving bowl arranged at the fold-to-bend portion of the holding frame.

Claim 12 (Previously Presented): The commodity containing apparatus according to Claim 4, further including a holding frame fixed to the base portion and formed with a fold-to-bend portion hung downward in a vertical direction of the base portion and folded to bend in a horizontal direction such that a lowermost portion thereof is disposed downward from the plurality of sheets of containing bags, and a receiving bowl arranged at the fold-to-bend portion of the holding frame.

Claim 13 (Previously Presented): The commodity containing apparatus according to Claim 5, further including a holding frame fixed to the base portion and formed with a fold-to-bend portion hung downward in a vertical direction of the base portion and folded to bend in a horizontal direction

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such that a lowermost portion thereof is disposed downward from the plurality of sheets of containing bags, and a receiving bowl arranged at the fold-to-bend portion of the holding frame.

Claim 14 (Previously Presented): The commodity containing apparatus according to Claim 7, further including a holding frame fixed to the base portion and formed with a fold-to-bend portion hung downward in a vertical direction of the base portion and folded to bend in a horizontal direction such that a lowermost portion thereof is disposed downward from the plurality of sheets of containing bags, and a receiving bowl arranged at the fold-to-bend portion of the holding frame.

Claim 15 (Previously Presented): The commodity containing apparatus according to Claim 8, further including a holding frame fixed to the base portion and formed with a fold-to-bend portion hung downward in a vertical direction of the base portion and folded to bend in a horizontal direction such that a lowermost portion thereof is disposed downward from the plurality of sheets of containing bags, and a receiving bowl arranged at the fold-to-bend portion of the holding frame.

Claim 16 (Previously Presented): The commodity containing apparatus Claim 9, wherein at least two sheets of end plates surrounding the opening for throwing in the commodity are inclined downward toward a center side.